IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

WEDNESDAY, THE 19TH SEPTEMBER 2007 / 28TH BHADRA 1929

WP(C).No. 27679 of 2007(T)

PETITIONER:

K.RAVEENDRAN KEEYATTU VEEDU,
KUMBALANGAD, KANJIKODU P.O.
VADAKANCHERY, THRISSUR.

BY ADV. SRI.GOPAKUMAR.G.
SRI. REYNOLD FERNANDEZ

RESPONDENTS:

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1. THE DISTRICT COLLECTOR, THRISSUR,
CIVIL STATION, THRISSUR.

2. DEPUTY TAHASILDAR, (REVENUE RECOVERY),
TALAPILLY TALUK OFFICE, VADAKANCHERY,
THRISSUR DISTRICT.

3. VADAKANCHERY BLOCK PANCHAYATH,
REPRESENTED BY ITS SECRETARY,
VADAKANCHERY, THRISSUR.

4. THE STATE OF KERALA, REPRESENTED BY
SECRETARY, SECRETARIAT, THIRUVANANTHAPURAM.

R1, R2 & R4 BY GOVT. PLEADER MR.K.J.MOHAMMED ANZAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 19/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE,J.

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W.P.(C) No.27679 of 2007

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Dated: 19th September, 2007

JUDGMENT

W.P.C.No.27679 of 2007 is filed by the petitioner in W.P.C.No.17789/07 complaining that though this court had granted stay of all proceedings pursuant to the order of the Ombudsman which is under challenge in W.P.C.No.17789/07, the District Collector has initiated revenue recovery proceedings on the basis of a request made by the Panchayat even prior to the interim orders in W.P.C.No.17789/07. Considering the pleadings and the interim orders passed in W.P.C.No.17789/07, I am of the view that the respondents are not justified in continuing with the revenue recovery proceedings even this court is in seisin of W.P.C.No.17789/07. Under these circumstances, W.P.C.No.27679/07 will stand allowed, quashing Exts.P4 and P5. It is made clear that after W.P.C.No.17789/07 is disposed of, if the decision in that case comes in favour of the respondents therein, it will be open to the Panchayat and the respondents to initiate revenue recovery proceedings.

srd **PIUS C.KURIAKOSE, JUDGE**